

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Chapter 7
Estate of Bernard L. Madoff,

Plaintiff,

v.

LGT BANK IN LIECHTENSTEIN LTD.,

Defendant.

Adv. Pro. No. 11-02929 (CGM)

**ORDER DENYING LGT BANK IN LIECHTENSTEIN LTD.'S MOTION TO DISMISS
THE COMPLAINT UNDER FEDERAL RULES OF CIVIL
PROCEDURE 12(b)2 AND 12(b)(6)**

Defendant LGT Bank in Liechtenstein Ltd. ("Defendant") filed a Motion to Dismiss the Complaint under Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) (the "Motion") on September 29, 2022 (ECF No. 99). The parties stipulated to rest on their papers and waive oral argument on the Motion on January 17, 2023 (ECF No. 117).

The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, and the Complaint. The Court issued a memorandum decision, dated February 14, 2023, regarding the Motion (the “Decision”) (ECF No. 124). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to Dismiss the Complaint is denied.
2. The deadline for the Defendant to file an answer to the Complaint is April 17, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: February 27, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge